

CITY OF ALAMO HEIGHTS
CITY COUNCIL
October 11, 2010

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, October 11, 2010.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Stan McCormick
Councilmember Bobby Rosenthal
Councilmember Elliot Weser
Councilmember John Savage

Also attending were:

City Manager Ann Benson McGlone
City Attorney Mike Brenan
Assistant City Manager/Public Works Director Shawn P. Eddy
Communications/IT Manager Marian Ramirez
Finance Director Cynthia Barr
Community Development Director Brian Chandler
Human Resource Manager Judith E. Surratt
City Secretary Jennifer Reyna
Fire Chief Buddy Kuhn
Police Chief Rick Pruitt

Absent was:

Councilmember Fred Prassel

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Mayor Louis Cooper called the meeting to order at 5:33 p.m.

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Mayor Cooper announced that Councilmember Prassel was out of town.

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Mayor Cooper asked City Council for any corrections to the minutes of the September 27, 2010, City Council Meeting. A motion was made by Mayor Pro Tem Stan McCormick to approve the minutes of September 27, 2010. The motion was seconded by Councilmember Elliot Weser and passed by unanimous vote.

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Item # 2 City Manager's Report

a. National Night Out Report

City Manager Ann McGlone reported that an estimated 200 families attended the City's National Night Out event at the City Complex. She thanked the sponsors that donated items to the event. A brief slideshow was presented which included pictures of the neighborhood gatherings.

b. National Take-Back Day Report

Ms. McGlone reported the Alamo Heights Police Department collected over 88 lbs. of pills, 62 lbs. of liquids and 6 lbs. of sharps on National Take-Back Day, September 25, 2010. The event was more successful and the Police Department is considering conducting another collection in 6 months.

c. Movie Nights in the Heights, October 16th

Ms. McGlone invited the community to the last movie, Beetlejuice, on Saturday, October 16th. She announced there will be a pumpkin decorating station for children starting at 7:00 p.m. and the movie will start at 8:00 p.m.

d. Community Garden Meeting, October 21st

Ms. McGlone announced the Community Garden Conceptual Plan will be presented on Thursday, October 21st at 5:30 p.m. at the Council Chambers. She informed Council that a finalized plan and proposed budget will be presented to City Council at the October 25th City Council Meeting.

e. Items for Referral or Discussion

1. Health Insurance

Ms. McGlone informed Council that the upcoming health insurance renewal rates will be forthcoming and recommended this item to be reviewed by the Accountability & Management Committee. Council agreed.

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Citizens To Be Heard Concerning Non-Agenda Items

Lissa Martinez, resident, encouraged City Council, staff, and the community to be included and make better use of the Bexar Regional Watershed Process. She also reported that the Edwards Aquifer Authority is interested in impervious pavement.

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Staff Reports

Item # 4 Mayor Cooper read the following caption.

City Facility Update

As directed by Council at the September 13, 2010 regular meeting, Ms. McGlone stated that staff had prepared a City Facility Update presentation which reported issues and deficiencies of the existing facilities. However, Ms. McGlone reported she subsequently received direction that the Council desired to refer the issue to a committee of citizens nominated by the Councilmembers.

Mayor Cooper suggested each Councilmember submit the names of citizens to be appointed to a committee to explore options and make recommendations regarding facilities.

Councilmember Weser asked if the committee meeting could be posted so that all of the Councilmembers could attend. He also asked if the Mayor would be chairing the committee.

Mayor Pro Tem McCormick stated that he regretted not being able to directly participate in the development of recommendations by the former Facility Committee and supported Councilmember Weser's suggestions to allow all Councilmembers to attend the meetings.

The Mayor agreed and stated that the meetings should be open to both the public and all Councilmembers.

Bill Kiel, resident and property owner, asked why this item was not being presented as it contains the current condition of the facility and what is the City's plan if sued for American with Disabilities Act (ADA) violations.

Mayor Cooper stated the facility deficiencies were well known. Mayor Cooper responded to Mr. Kiel that this item would not be presented because the City needs to explore different approaches in addressing the needs of the facility.

Councilmember Weser stated that one of the issues that needed to be explored further was the amount of contingency required for rehabilitation versus new construction. He concurred with the Mayor's suggestion for a citizen's committee to evaluate the issue and make recommendations to the City Council.

There was a brief discussion about ADA and Mayor Cooper directed Council back to the topic under consideration.

Item # 5 Mayor Cooper read the following caption.

Trails Master Plan Update

Community Development Director Brian Chandler made a PowerPoint presentation that included background information, maps, and the community input process.

Mr. Chandler stated the community input process began in February 2010 with a meeting involving interested citizens. He reported the first meeting was held on May 22, 2010 and 30 participants broke into three groups to consider objectives of the master plan. Mr. Chandler summarized the community ideas that were expressed at the community meetings.

Mr. Chandler announced the next meeting is Saturday, October 30th at 9:00 a.m. at the Audobon Society Building. Tours of the existing trails will be conducted and volunteer cleanup efforts of the trails will be offered after the meeting. He stated that a presentation will be given at a future Council meeting to discuss priorities and associated costs.

May O'Neal, resident, expressed her gratitude for the support the project had received. She informed Council that a 501(c)3 corporation has been established.

Lissa Martinez, resident, informed Council of upcoming projects conducted by other agencies that will complement or conflict with the City of Alamo Heights Plans. She briefly mentioned the concerns at Olmos Basin. She requested assistance on the Jack Judson Trails if the Trails Master Plan is not implemented.

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Items for Individual Consideration

Item # 6 Mayor Cooper read the following caption.

Consideration of Architectural Review Board Case No. 373F, submitted by Anders and Karen Monsen, owners, represented by Lyndsay Thorn, Architect, to demolish 100% of the existing one-story detached accessory structure and replace it with a two-story detached accessory structure at 501 Abiso Avenue. This Demolition Review is for determination of the compatibility of the proposed replacement structure.

Community Development Director Brian Chandler made a PowerPoint presentation, which included background information, map, photos, existing and proposed site plans, and elevations.

Councilmember Weser reported he met with Lyndsay Thorn, architect, on Friday, October 8th as a follow-up request from City Council, on behalf of the Neighborhood Character and Commercial Revitalization (NCCR) Committee. He stated Mr. Thorn provided two photographs with the proposed structure superimposed into the existing property and a 3-D model was not provided. Councilmember Weser observed the replacement structure was not compatible for the neighborhood and observed the proposed structure was like an additional two-story house structure.

Mayor Cooper asked if there had been any discussion about lowering the height of the structure.

Councilmember Weser responded that the height of the structure was not discussed. Councilmember Weser added that he suggested Mr. Thorn obtain and submit signatures from the approving neighbors on the schematic plan and to date, had not been submitted.

Mayor Pro Tem McCormick and Councilmember Weser expressed concern about the height of the proposed structure and the large pecan tree. Mayor Pro Tem McCormick added that ARB needed to observe the size of the proposed replacement structure, the potential impact to the neighbors, and surrounding trees. He recommended not to charge the applicants another fee for ARB review. Mayor Pro Tem McCormick and Councilmember Weser were interested in viewing the model that Mr. Thorn promised.

Councilmember Rosenthal stated compatibility was the issue and recommended this case return to ARB and provide ARB the reasons for ARB reconsideration. Council agreed with NCCR's recommendation to explore the above mentioned requests for ARB review.

City Attorney Mike Brennan advised that this item could not be sent back to ARB but Council may postpone or declare a 90-day demolition delay and the case may return within 90 days to be reconsidered by Council.

A motion for approval was made by Councilmember Savage for a 90-day demolition delay. The motion was seconded by Councilmember Rosenthal and passed by unanimous vote.

Item # 7 Mayor Cooper read the following caption.

RESOLUTION NO. 2010R - 019

A Resolution approving an Emergency Notification System Use Agreement with the Bexar Metro 9-1-1 Network District and authorizing the Mayor to execute such agreement

Police Chief Rick Pruitt made a PowerPoint presentation that included background information and details on the Emergency Notification System (ENS).

Mayor Pro Tem McCormick asked why the ENS was connected only to land lines.

Chief Pruitt replied that Bexar Metro 9-1-1 is considering mobile phones as technology is upgraded.

Mayor Cooper added the ENS is connected only to land lines because sending a message to land lines informs residents that will be affected by the emergency notice. Mayor Cooper shared the benefits on this program.

A motion for approval was made by Councilmember Rosenthal. The motion was seconded by Councilmember Savage and passed by unanimous vote.

Item # 8 Mayor Cooper read the following caption.

ORDINANCE NO. 1884

AN ORDINANCE ACCEPTING THE COMPETITIVE PROPOSAL OF \$523,411.10 FROM CLARK CONSTRUCTION OF TEXAS, INC., PLUS A 25% CONTINGENCY OF \$130,852.77, FOR A TOTAL AUTHORIZATION OF \$654,263.87 FOR THE MILL AND OVERLAY OF VARIOUS STREETS IDENTIFIED IN THE CITY'S 20-YEAR STREET MAINTENANCE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS WITH THE SUCCESSFUL PROPOSER FOR THE COMPLETION OF SUCH WORK

At 6:43 p.m. Councilmember Rosenthal recused himself as his law firm represents Clark Construction.

Assistant City Manager/Public Works Manager Shawn P. Eddy made a PowerPoint presentation that included background information, the competitive sealed proposal process, and announcement of an upcoming capital project.

Mr. Eddy highlighted the proposals that were received as part of the competitive process and explained the process of how Clark Construction was considered to be the favorable proposal for this public works project. He informed Council of the current competitive process for the water line improvements capital project to be presented for Council consideration at the October 25th City Council Meeting.

Mr. Eddy recognized and commended Assistant Public Works Director Pat Sullivan who developed the 20-year Street Maintenance Plan.

Bill Kiel, resident and property owner, complimented Mr. Sullivan and the Public Works Crew for their continuous outstanding work performance in street repairs. Mr. Kiel asked if there will be sewer or water replacements on Joliet.

Mr. Eddy replied that the water lines on all three blocks of Joliet will be replaced. Mr. Sullivan added that new water lines will be installed on Mary D Avenue.

Councilmember Weser expressed concern on the 25% contingency and asked what factors contribute to the high percentage. He further inquired as to how the City determines what proposals to accept and asked if the contingency amount is included in the proposals.

Mr. Eddy stated that the City welcomes proposals from all qualified contractors and explained that the City typically determines the amount of contingency to request for each project based on the complexity and potential unknown costs associated with a particular project. While mill and overlay work typically has low risk of unknown costs, the City was requesting the maximum contingency allowed by state law for this contract in order to take advantage of the very favorable unit prices included in the proposal. Mr. Eddy added the contingency is proposed to be used for the mill and overlay of one or two additional streets.

Councilmember Savage asked if there was enough funding for this project available in the Street Maintenance Fund.

Mr. Eddy explained that a sufficient amount was carried forward from the previous fiscal year since the monies were not spent.

A motion for approval was made by Councilmember Savage. The motion was seconded by Mayor Pro Tem McCormick and passed by unanimous vote.

Councilmember Rosenthal returned to the Council Chambers at 7:05 p.m.

Mayor Pro Tem McCormick asked about an update on the construction on Broadway.

Mr. Eddy responded that majority of the utilities are done and the mill and overlay of N. New Braunfels Avenue should commence in the next two weeks.

Councilmember Weser asked if the City of Alamo Heights has considered asking the City of Terrell Hills for assistance in funding the repaving of N. New Braunfels Avenue where it borders their community.

Mr. Eddy stated that portion of N. New Braunfels Avenue south of Austin Highway was completely within the City of Alamo Heights and noted that the City of San Antonio did not ask the City of Alamo Heights to contribute funding for the number of streets it maintains on the borders of Alamo Heights. He also reminded Council of the quarterly meetings held by the Cities of San Antonio, Terrell Hills, and Alamo Heights to coordinate the capital improvement projects being constructed by each of the neighboring communities.

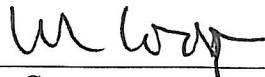
There was a brief discussion about boundary lines on N. New Braunfels Avenue and Mr. Brennan directed Council back to the topic under consideration.

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There being no further business, a motion was made by Councilmember Weser to adjourn the meeting. The motion was seconded by Mayor Pro Tem McCormick and passed by unanimous vote. Mayor Cooper adjourned the meeting at 7:10 p.m.



Louis Cooper
Mayor


Jennifer Reyna, TRMC
City Secretary